

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. NO. 04-CV-11193-NG

SHAWN DRUMGOLD,)
)
Plaintiff)
)
vs.)
)
CITY OF BOSTON, ET AL.,)
)
Defendants)
)

**TIMOTHY CALLAHAN'S AND RICHARD WALSH'S JOINT MOTION TO
BIFURCATE TRIAL**

Now come defendants Timothy Callahan and Richard Walsh and, pursuant to Fed.R.Civ.P. Rule 42(b), respectfully request that the Court order the bifurcation of the trial in this action into two phases, the first to be the trial of Drumgold's claims against Callahan and Walsh individually, and the second to be the trial of Drumgold's claims against the City of Boston. Callahan and Walsh submit that bifurcation will achieve the purposes of Rule 42(b), in that it would avoid prejudice to the individual defendants, would favor expedition and economy for both the parties and the Court, and will have no prejudicial effect on the plaintiff.

Further support for this motion is provided in the accompanying Memorandum of Law.

Respectfully submitted,

TIMOTHY CALLAHAN

RICHARD WALSH,

By his attorney,

By his attorney,

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Dated: July 22, 2005

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2005 I served a copy of the above document upon the following counsel of record by first class mail, postage prepaid:

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